

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)



Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No. PCT/JP2005/006206	International filing date (day/month/year) 24.03.2005	Priority date (day/month/year) 12.04.2004
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International Patent Classification (IPC) or both national classification and IPC
G06F3/023

Applicant
MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2005/006206

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	6, 8, 14, 16
	No: Claims	1-5,7,9-13,15
Inventive step (IS)	Yes: Claims	-
	No: Claims	1-16
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	-

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

D1: US 2002/0057259 A1 (SUZUKI) 16 May 2002

D2: GB 2016184 A (A.C. COSSOR LTD.) 19 September 1979

2. The application does not meet the requirements of Article 6 PCT as claims 1-8 are unclear.

Method claims 1-8 merely describe how the device of the application operates thereby rendering the category of the claims unclear. The claims should therefore be redrafted as device claims, possibly in terms of functional features.

3. The subject-matter of independent claims 1 and 9 does not meet the requirements of Article 33(2) PCT because it is not new.

A method and device for inputting data combining all technical features of independent claims 1 and 9 is known from D1 in isolation.

D1 describes (see in particular figures 2, 3 and accompanying text):

- a system having a plurality of keys 4 and a display 2, as the keys are envisaged to be a standard ten key keypad, they implicitly have printed upon or adjacent each key, the characters which may be selected by pressing that key;
- a touch detecting arrangement (see figure 3 and paragraph [0009]);
- means to display on display 2 information representing the touched key (figure 3 and paragraph [0010]);
- means to detect depression of the touched key (figure 3 and paragraph [0011]);

and

- means for entering the data assigned to the pressed key (paragraph [0011]).

4. Furthermore, the subject-matter of independent claims 1 and 9 is also not new in the light of D2 taken in isolation.

D2 discloses a keypad 12 and display 11 (see figure 3). Each key is provided with two switching devices (see page 1, lines 120-126) whereby when the user presses a key lightly, a first switch closes and a character or numeral is displayed on the screen (page 1, lines 51-57), when the user presses the key further, a second switch closes and the character is input (page 1, lines 57-67).

Therefore, D2 also anticipates the subject-matter of claims 1 and 9.

5. Moreover, dependent claims 2-8 and 10-16 do not contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of Articles 33(2) or 33(3) PCT with respect to novelty or inventive step respectively.

5.1. The input device of D1 also comprises the additional features of claims 2, 3, 4, 10, 11 and 12 (see paragraph [0022]).

5.2. The additional feature of claims 5 and 13 is similarly anticipated by D1 (see paragraph [0055]).

Preventively, it is noted that even if claims 5 and 13 were amended to specify that all characters assigned to a key should be presented simultaneously and the user be able to select between the displayed characters (see figures 3 and 10 of the present application), this would not contribute an inventive step as this feature is widely known to be an equivalent to the feature of displaying the selectable characters successively as described in D1 (paragraph [0055]) and can be interchanged with that feature where circumstances make it desirable.

- 5.3. The additional feature of claims 6 and 14 cannot contribute an inventive step as function keys are normally provided on a keypad such as a keypad of a mobile telephone and the person skilled in the art would implement the functionality of displaying information as to the function of such a function key, when the user's finger is detected over the function key, in exactly the same way as the character assigned to a character key would be displayed to provide function key information to the user.
- 5.4. The additional feature of claims 7 and 15 are implicit in D1 as well as in D2 as it is conventional for characters input in eg. a mobile telephone or pda to be displayed together with previously input characters. The person skilled in the art would assume this also to be the case in the devices of D1 and D2.
- 5.5. The additional feature of claims 8 and 16 is a standard design feature which would be implemented in the arrangements of D1 and D2 if so desired.
- 5.6. Preventively, it is noted that even if the claims were so amended to incorporate the feature shown eg. in figure 6 of the present application, of allowing switching between different functions of the keys (eg. selecting a numeric mode or an alphabet mode) they would not be novel. This feature is known from D2 which discloses keys "ALP" and "NUM" which allows the function of the keys to be selected (see figure 1 and page 1, lines 99-108). As D2 explains (page 1, lines 104-108) it is so well known to change the mode of keys that further specification of the claims to include features such as changing the mode to a Hiragana mode or any desired functional mode could not contribute an inventive step.
6. For the reasons stated in Sections 2-5 above, claims 1-16 are not allowable. In view of the available prior art, it does not appear that any part of the application could serve as a basis for a new allowable claim. Thus in the present case it would appear that a negative International Preliminary Examination Report is to be expected.